IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8333 OF 2006
WITH
WRIT PETITION NO.8334 OF 2006

Ketan Premani ...Petitioner.

V/s

Jasminder Ketan Premani ...Respondent.

Mr. Milind Vasudeo with Mr. Swanand Ganu with Mr. Narayana B. Suvarna for the Petitioner.

Mrs. Chitra Phadke for the Respondent.

CORAM: S.J. VAZIFDAR, J.
DATE : 24th January, 2007

P.C.:

1. The Writ Petitions are disposed of by consent by the following order:-

2. The interim maintenance is retained @ Rs 50,000/- per month for the respondent - wife and her two children. In lieu of the same, the respondent - wife agrees and undertakes to this Court to vacate the flat in which she is presently residing on or before 1st May 2007. This is, however, without prejudice to the rights of the Petitioner to obtain possession earlier, as the Petitioner has strongly contended that the respondent is not entitled to occupy the said flat. Needless to add that this order, obviously, ought not to be

construed as permission by the Court to the respondent to occupy the flat nor does this order purport to affect the rights of the licensor of the flat. Undertaking, however, is accepted.

3. It is agreed that the amount of Rs 50,000/- is a lumpsum amount and in lieu thereof, the Petitioner shall not be required to provide any accommodation to the respondent.

4. The family court is requested to decide the application for custody on or before 31st March, 2007.

5. Accordingly, the order impugned in Writ Petition No. 8334 of 2006 dated 21st November, 2006 is set aside and the order impugned in Writ Petition No.8333/2006 dated 12th October, 2006 is confirmed subject to the above clarification and terms.

6. Writ Petitions are accordingly disposed of.